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UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT  
2012 JUL 25 PM 4:14  
U.S. DISTRICT COURT  
NEW HAVEN, CT.

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UNITED STATES OF AMERICA

v.

ROBERT BRADDOCK, JR.  
BENJAMIN HOGAN, a.k.a. "Benny"  
DAVID MOFFA, a.k.a. "Moff" and "Buffalo"  
DANIEL MONTEIRO  
JOSHUA NASSI  
PAUL ROGERS, a.k.a. "Paulie"  
GEORGE TIRADO

VIOLATIONS

18 U.S.C. § 371 (Conspiracy);  
18 U.S.C. §§ 1343, 1346, 2 (Wire  
Fraud Deprivation of Honest  
Services);  
2 U.S.C. § 441f, 18 U.S.C. § 2  
(Contributions in the Name of  
Another);  
18 U.S.C. §§ 1001, 2  
(False Statements)

# SUPERSEDING INDICTMENT

The Grand Jury charges:

## GENERAL ALLEGATIONS

At all times relevant to this Superseding Indictment:

### The Connecticut General Assembly

1. The Connecticut General Assembly ("CGA") was a political sub-division within the State of Connecticut, constituting the legislative branch of Connecticut's state government. The CGA was composed of two chambers: the House of Representatives and the Senate. The CGA's 2012 legislative session commenced on February 8, 2012 and ended on May 9, 2012.

### Roll Your Own Smoke Shops

2. Roll Your Own ("RYO") smoke shops were retail businesses operating in the State of Connecticut and elsewhere, which sold loose smoking tobacco and cigarette-rolling materials. These items were subject to Connecticut's sales tax. RYO smoke shops also offered customers the option of paying a "rental" fee to insert the loose tobacco and the rolling materials

into a RYO machine, which was capable of rapidly rolling large quantities of cigarettes. Customers did not pay a tax on the RYO cigarettes when rolled by the RYO machines, in contrast to cigarettes purchased over-the-counter.

#### The RYO Litigation

3. In August 2011, the State of Connecticut applied for an order permanently enjoining the RYO smoke shops from operating RYO machines, which the State argued were tobacco manufacturing devices under Connecticut law (the “RYO Litigation”). According to the State of Connecticut, the RYO smoke shop owners were not complying with health and safety regulations and a specific tax regime governing owners and operators of tobacco manufacturing devices.

4. On February 24, 2012, the Connecticut Superior Court issued a Memorandum of Decision in the RYO Litigation. The Court ruled that, subject to certain restrictions, RYO machines were not tobacco manufacturing devices, and that RYO smoke shop owners could continue to operate RYO machines without being subject to the health and safety regulations and tax regime governing tobacco manufacturing devices.

#### The RYO Legislation

5. On April 3, 2012, the CGA’s Joint Committee on Finance, Revenue and Bonding (the “Finance Committee”) voted in favor of a “Joint Favorable Substitute” revision to Senate Bill 357, an Act Concerning Various Statutes Related to the Department of Revenue Services (the “RYO Legislation”). If enacted, the RYO Legislation would have effectively overturned the Connecticut Superior Court’s ruling in the RYO Litigation by deeming RYO smoke shop owners to be tobacco manufacturers under Connecticut law, a designation that would have subjected RYO smoke shop owners to a substantial licensing fee and tax increase.

6. On May 9, 2012, the CGA's 2012 legislative session ended. The RYO Legislation was not called for a vote by either chamber of the CGA.

Relevant Individuals

7. Public Official Number 1 was a member of the CGA and a candidate for election to the United States House of Representatives.

8. ROBERT BRADDOCK, JR. ("BRADDOCK") was a resident of Meriden, Connecticut and the Finance Director for Public Official Number 1's campaign for election to the United States House of Representatives (the "Campaign Committee").

9. BENJAMIN HOGAN, a.k.a. "Benny" ("HOGAN"), was a resident of Southington, Connecticut and an employee of Smoke House Tobacco, a RYO smoke shop with two locations in Waterbury, Connecticut.

10. DAVID MOFFA, a.k.a. "Moff" and "Buffalo" ("MOFFA"), was a resident of Middlebury, Connecticut and the former President of the American Federation of State, County and Municipal Employees, Local 387, representing employees of the Connecticut Department of Correction.

11. DANIEL MONTEIRO ("MONTEIRO") was a resident of Wolcott, Connecticut and an owner of a company located in Waterbury, Connecticut.

12. JOSHUA NASSI ("NASSI") was a resident of Hartford, Connecticut and the Campaign Manager for the Campaign Committee.

13. PAUL ROGERS, a.k.a. "Paulie" ("ROGERS"), was a resident of Watertown, Connecticut, and a co-owner of Smoke House Tobacco.

14. GEORGE TIRADO ("TIRADO") was a resident of Waterbury, Connecticut and a co-owner of Smoke House Tobacco.

15. Harry Raymond Soucy, a.k.a. "Ray" ("Soucy"), was a resident of Naugatuck, Connecticut and an employee of the State of Connecticut Department of Correction. Soucy also served as the Treasurer of AFSCME, Local 387, a labor union representing Department of Correction employees. Soucy has been charged by a separate Information.

16. RYO Owner 1 had a business interest in the RYO smoke shop industry in Connecticut from August 2010 through March 2012.

17. Legislative Aide 1 was a legislative aide to Public Official Number 1 in the official's capacity as a member of the CGA.

18. Campaign Aide 1 was an employee of the Campaign Committee.

#### The Election Act

19. The Federal Election Campaign Act of 1971, as amended, Title 2, United States Code, Sections 431, et seq. ("Election Act"), limited financial influence in the election of candidates for federal office, including the office of United States Representative, and provided for public disclosure of federal election campaigns:

- a. The Election Act limited the amount and source of money that may be contributed to a federal candidate or that candidate's authorized campaign committee ("contributions").
- b. The Election Act prohibited any person from making contributions in the name of another, including reimbursing a third person, before or after that third person's contribution, as inducement to make that contribution ("reimbursement"), and accepting contributions made by one person in the name of another,
- c. The Election Act prohibited contributions of corporate money.

- d. In 2011 and 2012, the Election Act limited convention, primary and general election campaign contributions to \$2,500 each for a total of \$7,500, from any individuals to any one candidate.

20. The Federal Election Commission ("FEC") was an agency and department of the United States with jurisdiction to enforce the limits and prohibitions of the Election Act, and to compile and publicly report accurate information about the source and amount of contributions.

21. The Federal Bureau of Investigation ("FBI") was an agency and department of the United States with jurisdiction to enforce the limits and prohibitions of the Election Act.

COUNT ONE  
(Conspiracy)

22. The allegations contained in paragraphs 1 through 21 of this Superseding Indictment are realleged and incorporated as though fully set forth herein.

23. From in or about November 2011 through in or about May 2012, in the District of Connecticut and elsewhere, the defendants BRADDOCK, HOGAN, MOFFA, MONTEIRO, NASSI, ROGERS and TIRADO, together with Soucy, who has been charged separately, conspired with others known and unknown to the Grand Jury to:

- a. knowingly and willfully cause the submission of a materially false, fictitious, and fraudulent statement and representation, that is, the submission by the Campaign Committee to the FEC of a report that was materially false in reporting the source and amount of contributions to the Campaign Committee, in violation of Title 18, United States Code, Sections 1001(a)(2) and 2; and
- b. defraud the United States by impairing, impeding, obstructing, and defeating, through deceitful and dishonest means, the lawful government functions of the FEC in connection with its statutory duties to make available to the public

accurate information concerning the identities of contributors to federal campaigns, and the dates and amounts of such contributions, and to detect violations of the limitations on excessive campaign contributions, and to seek civil and administrative sanctions against individuals who made illegal contributions in violation of those limits.

The Purpose of the Conspiracy

24. The purpose of the conspiracy was to violate the limits and prohibitions on contributions to the Campaign Committee, and to conceal the amount and source of those contributions from federal agencies and departments with jurisdiction to administer and investigate those contributions.

Manner and Means of the Conspiracy

25. On November 2, 2011, MOFFA, ROGERS and RYO Owner 1 met at Smoke House Tobacco in Waterbury, Connecticut. At that meeting, the participants discussed the possibility that the CGA would enact legislation harmful to RYO smoke shop owners' business interests during the CGA's 2012 legislative session. MOFFA advised the other attendees that Soucy could help the RYO smoke shop owners prevent the enactment of harmful legislation. MOFFA then called Soucy, and shortly thereafter Soucy arrived at Smoke House Tobacco and joined the meeting. Soucy advised the others that Soucy's "good friend" was Public Official Number 1, who, according to Soucy, could influence whether the anticipated legislation would be enacted. Soucy then engaged in a telephone conversation with Public Official Number 1 for the purpose of arranging a meeting between certain RYO smoke shop owners and Public Official Number 1. The meeting was scheduled for the morning of November 16, 2011 at a restaurant in Meriden, Connecticut.

26. On November 15, 2011, Soucy, ROGERS and TIRADO attended a fundraising event for the Campaign Committee in Waterbury, Connecticut. Prior to the event, ROGERS and TIRADO arranged for a smoke shop employee to write a \$2,500 check to the Campaign Committee in exchange for a reimbursement of \$2,500 in U.S. currency. The \$2,500 contribution to the Campaign Committee was in the form of an illegal "conduit contribution," that is, a contribution made by one person in the name of another. At the fundraising event, Soucy and ROGERS delivered the \$2,500 conduit contribution to BRADDOCK.

27. Following the fundraising event on November 15, 2011, TIRADO and ROGERS spoke to RYO Owner 1. TIRADO advised RYO Owner 1 that "I just went to [Public Official Number 1's] fundraiser." TIRADO stated that "we donated today" to the Campaign Committee. TIRADO and RYO Owner 1 agreed that they would meet the following morning in advance of their meeting with Public Official Number 1. ROGERS advised RYO Owner 1 that he met with BRADDOCK at the fundraising event earlier that evening. ROGERS indicated that Soucy and individuals associated with the Campaign Committee had "already discussed in great detail about their strategy for the whole thing." According to ROGERS, BRADDOCK instructed him and Soucy that they should not "talk about a bill" during their meeting with Public Official Number 1 on November 16 because, "there is always people following this guy around, watching what he's doing . . ." ROGERS then advised RYO Owner 1 that he should bring a \$2,500 contribution to the upcoming meeting with Public Official Number 1. ROGERS instructed RYO Owner 1 that he should "give someone else the money and they could write the check." ROGERS advised that he and Soucy agreed that the check "can't be business." ROGERS added, "We had one of our employees. She just wrote a check for us."

28. On the morning of November 16, 2011, Soucy, TIRADO and RYO Owner 1 met at Smoke House Tobacco prior to meeting with Public Official Number 1. Soucy explained to TIRADO and RYO Owner 1 that, during the meeting with Public Official Number 1, they should not "bring up any bills," because "the men in black running around . . . all the time . . . and we say, 'we don't want you to do this bill,' . . . that's the same as me giving him a twenty, hundred dollar bill, saying 'let me go on the f\_cking two ounces you got me with'." Soucy advised TIRADO and RYO Owner 1 that he had "a long talk with" BRADDOCK, that BRADDOCK "knows the whole deal already," and that Soucy had to give BRADDOCK "that on the side."

29. On the morning of November 16, 2011, immediately prior to the meeting with Public Official Number 1, Soucy, TIRADO and RYO Owner 1 met in the parking lot at the restaurant in Meriden, Connecticut. Soucy advised TIRADO that, in addition to the \$2,500 conduit contribution ROGERS and TIRADO made on November 15, 2011, TIRADO and RYO Owner 1 were supposed to deliver "three more checks this morning," totaling \$7,500. TIRADO advised Soucy that he and ROGERS had contributed \$2,500 at the fundraising event the previous evening, referring to the conduit contribution. Soucy then advised RYO Owner 1 that when he "set this up" the plan was to make a payment of \$20,000 to \$30,000, but then they decided to start with a payment of "ten grand" to the Campaign Committee, followed by additional payments if they were "happy." TIRADO then asked, "you got a pen," wrote a \$2,500 check to the Campaign Committee in the name of a conduit contributor, and then handed the check to Soucy. ROGERS later reimbursed the conduit contributor by providing him with \$2,500 in U.S. currency.

30. On the morning of November 16, 2011, Soucy, TIRADO and RYO Owner 1 met with Public Official Number 1 and BRADDOCK at a restaurant in Meriden, Connecticut.



Immediately prior to that meeting, Soucy advised BRADDOCK that he had an "envelope," and then handed BRADDOCK an envelope containing the \$2,500 conduit contribution. During the meeting with Public Official Number 1, Soucy, TIRADO and RYO Owner 1 discussed various issues relating to the RYO industry in Connecticut.

31. On November 18, 2011, Soucy asked RYO Owner 1 to complete the \$10,000 payment to the Campaign Committee by giving two additional \$2,500 conduit contributions. Soucy advised RYO Owner 1 that the payment would prevent legislation harmful to the RYO smoke shop owners' interests from passing during the CGA's 2012 legislative session. Soucy said, "The chances of [Public Official Number 1] calling the bill are gonna be none. As long as we do what we're supposed to do. . . . So everybody understands, politics is about the Benjamins."

32. On November 29, 2011, ROGERS advised RYO Owner 1 that, if legislation harmful to the RYO smoke shop owners was introduced, he "would be more than willing to do more" to "guarantee" that the legislation failed. ROGERS also explained that if the Connecticut Superior Court ruled in their favor in the RYO Litigation, "the next step is the State's gonna try and put a bill in. That's where you really need [legislators], but I don't like to talk too much on the phone you never know." During that same conversation, RYO Owner 1 asked ROGERS to identify two conduit contributors who could write \$2,500 checks to the Campaign Committee in exchange for \$2,500 in cash. ROGERS responded, "Definitely, that's simple."

33. On November 29, 2011, Soucy described for RYO Owner 1 the purpose of the payments to Public Official Number 1. Soucy said, "If it goes good for you in court, you know they're gonna try and come with legislation. That's what you're buying. You're buying insurance." Soucy then explained the plan they would implement if harmful legislation was, in

fact, introduced. Soucy said, "Now the bill goes through, now it's time to invest more in to your future. The bill does not come out of session. Then you have to say 'thank you,' and you know how you say 'thank you'? More checks. That's the way this system works."

34. On November 30, 2011, Soucy, ROGERS, MOFFA and RYO Owner 1 met at Smoke House Tobacco. The participants agreed that they would complete the initial \$10,000 payment by delivering two \$2,500 conduit contributions to the Campaign Committee at a fundraising event scheduled for December 8, 2011. MOFFA volunteered to serve as one of the conduit contributors, instructing ROGERS and RYO Owner 1, "Give me the money, and I'll give you the check." MOFFA then explained that Soucy would advance the RYO smoke shop owners' interests at the CGA by working "through the back door hook." During the meeting, Soucy instructed the RYO owners not to bring a large contingent to the December 8 fundraising event, stating, "You don't want a lot of people from the industry. This is supposed to be low f\_cking key."

35. During the early evening of December 8, 2011, ROGERS contacted MOFFA and arranged to provide him with \$2,500 in U.S. currency in exchange for a \$2,500 conduit contribution to the Campaign Committee. MOFFA suggested to ROGERS, "Why don't you stop at my house, get the checks so I don't have to come down there? Oh, I need the money. F\_ck that. You got the money on you?" ROGERS responded, "Nah, I don't think I have twenty five hundred on me." ROGERS and MOFFA then agreed to meet at Smoke House Tobacco to make the exchange. Shortly thereafter, ROGERS spoke with HOGAN and lamented that he had not "put a little more thought" into selecting conduit contributors because those individuals would be able to use the fact that contributions were made in their names if they "need anything down the line." HOGAN responded, "Yeah, exactly. That's true."

36. On December 8, 2011, Soucy, ROGERS, MOFFA, RYO Owner 1 and others met at Smoke House Tobacco. Prior to that meeting, ROGERS obtained a \$2,500 check made payable to the Campaign Committee from a conduit contributor, who was later reimbursed by ROGERS with \$2,500 in U.S. currency. During that meeting, ROGERS and RYO Owner 1 provided MOFFA with \$2,500 in U.S. currency, and MOFFA then wrote a check for \$2,500 in his wife's name, making it payable to the Campaign Committee. MOFFA counted the \$2,500 in cash and advised RYO Owner 1 that it was "on the money." ROGERS explained that it was necessary to use conduit contributors to prevent people from drawing a connection between their contributions to the Campaign Committee and the defeat of legislation that might be introduced during the CGA's 2012 legislative session. ROGERS said, "something happens, they say why the f\_ck did these guys donate ten thousand to this campaign." During that same conversation, Soucy instructed RYO Owner 1 how to deliver the checks to BRADDOCK, saying, "When we meet with Rob, the finance guy . . . 'How you doing, Rob? Got something.' That's it."

37. On December 8, 2011, Soucy, ROGERS and RYO Owner 1 attended a fundraising event for the Campaign Committee, which was held at a hotel in Waterbury, Connecticut. As Soucy and the other attendees entered the event, RYO Owner 1 handed BRADDOCK the two additional \$2,500 conduit contributions. Soucy then advised BRADDOCK, "That's the other half of the ten," to which BRADDOCK responded, "Thanks, buddy." Later in the evening, BRADDOCK approached Soucy, ROGERS and RYO Owner 1 and said, "You're gonna be fine. I wouldn't go repeating what I just said, but I think you're gonna be fine."

38. On December 9, 2011, ROGERS described the December 8 fundraising event to TIRADO. TIRADO asked, "Did we have to give more money?," to which ROGERS responded,

“No. I mean . . . if it gets down to the point where it’s it, uh, gets to there and he says, ya know, ‘do it,’ I mean, ya know?” TIRADO responded, “Yup.”

39. On December 10, 2011, ROGERS contacted MONTEIRO, and advised him that he had arranged for two conduit contributors to make payments to the Campaign Committee on their behalf. ROGERS said, “[RYO Owner 1] gave you know five, so I had Moff, Moff do one and . . . I should have had you . . .,” to which MONTEIRO responded, “Yeah, definitely, definitely should have.”

40. On or about January 31, 2012, the Campaign Committee submitted to the FEC a report of the Campaign Committee’s receipts and disbursements for the period October 1, 2011 through December 31, 2011. The report falsely reported the source and amount of four \$2,500 contributions that were received and deposited by the Campaign Committee during that time period.

41. On February 8, 2012, Soucy contacted ROGERS to inform him that the CGA had convened for its 2012 legislative session. Soucy asked ROGERS to update him on the status of the RYO Litigation so that Soucy would know whether he had to “keep an eye on things” at the CGA.

#### The Decision in the RYO Litigation

42. On February 29, 2012, Soucy, ROGERS, MOFFA and RYO Owner 1 met at a Waterbury restaurant to discuss the previously agreed upon strategy for preventing the enactment of any legislation that would seek to overturn the February 24, 2012 ruling in the RYO Litigation. During the meeting, Soucy described the possibility that such legislation could be proposed through an emergency certification procedure that would require the approval of Public Official Number 1. Soucy reassured the participants, “I’ve talked to everyone I need to talk to.

If anything is going to come up, I will get a phone call. The only, the only, the only thing you could do right now, more.” Soucy then rubbed his fingers together, signaling that the participants should make additional payments to the Campaign Committee. Soucy said that he would arrange additional payments to the Campaign Committee, but explained that, “I’m not f\_cking going to talk about this over the phone.” During the meeting, MOFFA encouraged RYO Owner 1 to consider paying Soucy for his efforts on their behalf and added, “You might not like his tactics but the kid will get it done.” The participants agreed that they would proceed with their original plan to make additional contributions to the Campaign Committee to prevent any legislation from being enacted.

43. On March 3, 2012, Soucy explained to RYO Owner 1 that the plan to make additional payments to the Campaign Committee was part of the same effort that they initiated when they paid \$10,000 to the Campaign Committee during November and December 2011. Referring to the initial \$10,000 payment, Soucy said, “That was, ya know, ‘hello, how ya doin’, uh, this is our issues, and, ya know, this, givin’ more to [Public Official Number 1] will just reaffirm keeping the bill down.” Soucy then suggested, “ten more to [Public Official Number 1],” and advised that they “just gotta come up with, uh, more names.” Soucy explained, “you wanna keep as much distance as, so that when the people start lookin’ at [Public Official Number 1’s] money. . . and they go, ‘oh gee, RYO is giving ‘em money, and he won’t bring this bill up.’”

44. On March 22, 2012, Soucy and ROGERS met with two undercover FBI agents (“UCE-1” and “UCE-2”), who were posing as RYO investors. During the meeting, Soucy explained the notion that it is a lot easier to “kill a bill” than it is to get a bill passed. Soucy said that, even if a bill was passed out of a committee, it would have to be approved by Public Official Number 1. He stated, “Now if it makes it through all the committees. Now [Public

Official Number 1] has to call the bill. You said thank you to [Public Official Number 1] at the tune of ten thousand dollars.” Soucy then suggested that if the UCE’s wanted to keep Public Official Number 1 happy, they should “do another 10.” Soucy stated, “Not all the crooks have to stay at shift change. Some of us get to go home.” UCE-1 and UCE-2, acting in their undercover capacity as RYO investors, agreed to finance the next payment to the Campaign Committee.

45. On March 27, 2012, Soucy received a telephone call from NASSI. During the telephone call, Soucy advised NASSI that “them people are coming back into town next week, and, uh, they’re gonna have some more pieces of paper.” NASSI responded, “Alright, the end of the week is an important deadline for us. And, I know you talked to Rob (referring to BRADDOCK) on Friday . . . anything that you can do before the end of the week, we would greatly appreciate.”

The RYO Legislation and Additional Payments to the Campaign Committee

46. On the morning of April 3, 2012, the RYO Legislation was introduced in the CGA’s Finance Committee.

47. On April 3, 2012 at approximately 12:45 p.m., Soucy advised NASSI that he needed “to get together with Rob (referring to BRADDOCK),” on April 11, 2012 at 6:00 p.m. Soucy said, “I’m going to have something for him.” NASSI asked if they could meet a little later, but added, “[i]f it has to be six we’ll be there.” Soucy responded, “[T]his is the guy that’s bringing the envelope,” prompting NASSI to ask, “Do you know how big it will be, or what?” Soucy responded, “Five.”

48. On April 3, 2012, at approximately 1:35 p.m., Soucy called NASSI after learning that the RYO Legislation had been introduced in the Finance Committee. Soucy advised NASSI that the Finance Committee was taking up legislation that would designate the RYO smoke shop

owners tobacco “manufacturers.” Soucy then said, “That’s a oops.” NASSI responded, “Let me check on that.”

49. On April 3, 2012, at approximately 2:20 p.m., Legislative Aide 1 sent the following electronic message to NASSI, “Its going to pass 30-17 unless [Public Official Number 1] tells [another public official] to flip votes. Vite [sic] is open for 50 more minutes.” At approximately 2:23 p.m., NASSI responded with an electronic message that read, “Ouch.”

50. During the afternoon of April 3, 2012, the Finance Committee voted in favor of the RYO Legislation by a vote of 33 to 17, with three members absent.

51. On April 3, 2012 at approximately 3:32 p.m., NASSI sent the following text message to Legislative Aide 1, inquiring about the possibility that the RYO Legislation would pass the CGA’s House of Representatives, “So will it pass the house too????” Later that evening, Legislative Aide 1 advised NASSI by electronic message, “it will pribably [sic] pass.”

52. On April 3, 2012, at approximately 4:43 p.m., Soucy called UCE-1. During the call, Soucy advised UCE-1 that he had scheduled a meeting with BRADDOCK and NASSI. Soucy and UCE-1 agreed that UCE-1 would provide Soucy with \$10,000 in cash so that Soucy could recruit and reimburse conduit contributors to write checks to the Campaign Committee. Soucy and UCE-1 agreed that the \$10,000 payment in the form of conduit contributions to the Campaign Committee would be delivered to BRADDOCK and NASSI at the upcoming meeting.

53. On April 4, 2012, Soucy and UCE-1 met in Connecticut. At that meeting, UCE-1 provided Soucy with \$11,000 in U.S. currency. Soucy agreed that he would arrange for \$10,000 of that money to be used to pay conduit contributors who would write checks to the Campaign. Soucy accepted the remaining \$1,000 as purported payment for his efforts to arrange the defeat of the RYO Legislation. During the meeting Soucy and UCE-1 engaged in the following

exchange: UCE-1 stated, "This is ten (\$10,000) now for [Public Official Number 1]. ... It's too late in the game to fumble now. A little something in there for you." Soucy responded, "Alright." A few minutes later, Soucy stated, "It's a game that lucky enough, I've got the contacts to play good in it."

54. During the afternoon of April 9, 2012, Soucy contacted BRADDOCK and sought to confirm that BRADDOCK and NASSI would attend a meeting with Soucy, ROGERS and UCE-1 on April 11, 2012. Soucy advised BRADDOCK, "I got ah, another ten grand for you," to which BRADDOCK responded, "You're the f\_cking man, man. I'll be there."

55. During the evening of April 9, 2012, Soucy spoke with NASSI and confirmed that NASSI would attend a meeting with Soucy, ROGERS and UCE-1 on April 11, 2012. NASSI advised Soucy that, because Public Official Number 1 was running for a federal office, Soucy did not have to complete contribution forms in connection with the checks that Soucy intended to deliver on April 11. Soucy responded, "Ok, so I just bring the checks?," to which NASSI responded, "You got it." Soucy then said, "Alright. I'll have, uh, four twenty-five hundred dollar checks," to which NASSI responded, "Wow, that's great man." Moments later, Soucy said, "Well you, you know my reasoning," to which NASSI responded, "Yup, I do."

56. In advance of the April 11 meeting, Soucy and ROGERS recruited four individuals to serve as conduit contributors in connection with the \$10,000 payment to the Campaign Committee that Soucy and ROGERS intended to deliver to BRADDOCK and NASSI on April 11, 2012. Soucy and ROGERS provided each conduit contributor with \$2,500 in U.S. currency in exchange for a \$2,500 check written to the Campaign Committee.

57. On April 11, 2012, at approximately 6:30 p.m., Soucy, ROGERS, UCE-1, NASSI and BRADDOCK met at a restaurant in Southington, Connecticut. Prior to the meeting, Soucy



provided UCE-1 with the four \$2,500 checks in the names of conduit contributors. At the meeting, UCE-1 delivered the four \$2,500 checks written in the name of conduit contributors to BRADDOCK and NASSI. During the meeting, UCE-1 advised BRADDOCK and NASSI that his objective was to “do what [he] can to make sure that thing gets killed.” UCE-1 then advised BRADDOCK and NASSI that he was not “on” any of the checks. Specifically, UCE-1 said, “I’m not on any of them. But, if you think a more public showing from Roll-Your-Own, then that’s fine. I was just under the understanding that I thought it might be sensitive. If we’re out there, then that may be more of a red flag, but I can switch that, right Ray? And, there are no duplicates in here from last time?,” referring to the names that were used to make the initial \$10,000 payment in November and December 2011. Soucy responded, “No, no, no, I know how this works. Can’t be duplicates.” Later in the conversation, UCE-1 said to NASSI and BRADDOCK, “And, even though my name is not on there, you know that it is me.”

58. On April 23, 2012, NASSI advised Soucy that one of the checks he delivered on April 11, 2012 had bounced. Soucy responded, “Everybody was, everybody was given the cash, to deposit. I’ll make the call right now.” NASSI then provided Soucy with the name of the conduit contributor whose name appeared on the bounced check. NASSI advised Soucy that the Campaign Committee, “need[s] the check, ah, by tomorrow at midnight,” to which Soucy responded, “Ah, well that, okay. I will do whatever I gotta do, alright?”

59. On April 23, 2011 and April 24, 2011, Soucy engaged in a series of telephone calls with ROGERS in an effort to obtain a check to replace the bounced check. ROGERS and Soucy agreed that ROGERS would obtain a \$2,500 bank check from the same conduit contributor and cash to cover the bank charge associated with the bounced check, and then leave those items at Smoke House Tobacco the following morning. ROGERS then obtained the

\$2,500 bank check from the conduit contributor, whom he had previously provided \$2,500 in U.S. currency, and delivered it to Smoke House Tobacco.

60. On April 24, 2012, NASSI contacted Soucy to advise him that an employee of the Campaign Committee had retrieved the replacement check from Smoke House Tobacco. NASSI thanked Soucy for obtaining the replacement check.

61. On April 25, 2012 at approximately 7:25 p.m., Soucy advised NASSI that Soucy had "another ten grand to, uh, distribute to [Public Official Number 1] to make sure this bill stays out, off of the table," and that he would "have the checks on Wednesday." Soucy asked NASSI, "is that gonna do it?," to which NASSI responded, "Wow, uh, right now. Ah, yes, whatever you can do is great." NASSI then instructed Soucy that one of the checks should be made out to a state political party to pay a videographer who recorded Public Official Number 1's opponents.

62. On April 25, 2012 at approximately 7:53 p.m., Soucy and ROGERS discussed a plan to make an additional \$10,000 payment to the Campaign Committee. Soucy advised ROGERS that he would "need people to write checks again so we can continue to bribe these a\_sholes." ROGERS then asked Soucy whether Soucy had the money that would be needed to reimburse the conduit contributors. Soucy advised that he did not yet have the money but that he would "need four for [Public Official Number 1]." ROGERS corrected Soucy, saying that three conduit contributors would write checks to the Campaign Committee and one conduit contributor would write a check to a political party. Soucy said, "Right, four twenty five hundred dollar people."

63. On May 1, 2012 at approximately 3:58 p.m., Legislative Aide 1 sent an electronic message to NASSI, informing him that the "Senate is doing cigarettes tonight," to which NASSI responded, "Omg. R U serious?" Legislative Aide 1 responded, "Yes." At approximately 9:04

p.m., NASSI asked Legislative Aide 1 via electronic message, "Did they do cigs?," referring to whether the Senate had voted on the RYO Legislation. Legislative Aide 1 responded, "Don't know yet."

64. The Senate did not take up the RYO Legislation on May 1, 2012.

65. On May 2, 2012, the Campaign Committee submitted to the FEC a report of the Campaign Committee's receipts and disbursements for the period April 1, 2012 through April 24, 2012. The report falsely reported the source and amount of four \$2,500 contributions that were received and deposited by the Campaign Committee during that time period.

66. On the evening of May 2, 2012, Soucy and NASSI discussed Public Official Number 1's position on the RYO Legislation. During the conversation, Soucy reminded NASSI that he (Soucy) had already given \$20,000 to the Campaign Committee, and informed NASSI that when NASSI tells him that "[Public Official Number 1] is good with this, you know with that 20k," Soucy would give the Campaign Committee "another 10." NASSI responded that while he did not know whether he could "make a promise like that," he was "continuing to work on it." Soucy then asked again, "Is [Public Official Number 1] good with this," to which NASSI responded, "Yeah." NASSI later said, "I'm, you know, doing everything I can. . . . You gotta just monitor this shit all the time."

67. On May 3, 2012, Soucy informed NASSI that he had spoken with Public Official Number 1 the previous night, to which NASSI responded, "Yeah, I talked to him." Soucy reported to NASSI that Public Official Number 1 told him "he's working on it." Soucy and NASSI then agreed that Soucy would deliver another \$10,000 to the Campaign Committee following the end of the legislative session. Soucy said, "hopefully, we can get this thing killed and I can take care of [Public Official Number 1] for another ten grand and much more later on."

Alright, brother?" NASSI responded, "Yup. I hear ya, I hear ya man, I mean we'll uh, like I said, we'll uh, keep working on it and, um, we'll plan to talk after session's over."

68. On May 7, 2012, NASSI sent an electronic message to Legislative Aide 1 asking, "Is cig language in the budget. I need to know." Legislative Aide 1 responded, "No," followed by "I just looked."

69. On May 8, 2012, Soucy and NASSI discussed a series of proposed amendments to the RYO Legislation that would have effectively stripped the RYO licensing and tax provisions from the legislation. Soucy advised NASSI that "it looks like the RYO language is getting taken out for free, or . . . is Public Official Number 1 behind this?" NASSI responded, "Yeah, yeah, I mean we've been sending the message that the bill is dead," which, according to NASSI, may have prompted other legislators to load the bill down with other amendments. Soucy then advised NASSI that "where credit's due, they want to give credit, but . . . if it's not due, they don't want to do. They're ending up with a freebie." NASSI responded, "what's happening is all this stuff is happening behind the scenes. They're telling people that the bill is dead. . . . So, once, once the message is sent that the bill is dead, that's when you start seeing all these other amendments." Soucy then confirmed, "So, [Public Official Number1] is behind the deal, which is good," to which NASSI responded, "Yeah, yeah."

70. On May 8, 2012, NASSI sought to confirm with Legislative Aide 1 that, following the 2012 legislative session, the CGA would convene a special session to enact budget implementing legislation, and that the RYO tax provisions would not be included in the legislation. At approximately 7:58 p.m., NASSI sent the following electronic message to Legislative Aide 1: "So, just to confirm, implementers will be done in a special session and cig tax definitely won't be in them, right?" Legislative Aide 1 responded, "Trying hard for cigs

altho [sic] no one knows yet that we have any opposition.” Legislative Aide 1 then informed NASSI that various interested parties were working to amend the RYO Legislation so that it could be enacted during the special session. NASSI responded, “Just avoid it rather than amendments and sh\_t”. NASSI and Legislative Aide 1 then considered additional strategies for keeping the RYO licensing and tax provisions from being considered during the CGA’s special session, which was scheduled for June 12, 2012.

71. On May 9, 2012, NASSI informed Soucy that, “nothing’s happening . . . we’ve been successful, so.” Soucy responded that he would, “bring up the other 10,” and that he would like to “thank [Public Official Number 1] and then “take a walk” with NASSI. NASSI then reminded Soucy that \$2,500 should go to a political party. Soucy said, “Well, like I said, I get the checks. You just tell me who to make them out to.”

72. The CGA’s 2012 legislative session ended at 11:59 p.m. on May 9, 2012. The RYO Legislation was not called for a vote by either chamber of the CGA.

73. On May 14, 2012, NASSI contacted Soucy to invite him to a political convention that evening at which Public Official Number 1 would be seeking the endorsement of a political party. Initially, Soucy did not agree to attend the convention but, referring to the final payment of \$10,000, said, “I didn’t forget. Um, I’m trying, I gotta put together. Whatever dope addicts and drug pushers are gonna be writing these phony checks so, but I didn’t forget you. . .” NASSI responded, “No problem, man.” Soucy then said that maybe he would “make an appearance,” explaining that he wanted “to meet with [Public Official Number 1] and thank him personally.”

74. On May 14, 2012, Soucy and ROGERS met at Smoke House Tobacco. During the meeting, Soucy provided ROGERS with \$10,000 in U.S. currency. ROGERS had previously arranged for several individuals to write \$2,500 checks to the Campaign Committee in exchange

for \$2,500 in U.S. currency. In particular, ROGERS had obtained a \$2,500 check from MONTEIRO, which he provided to Soucy. ROGERS also provided Soucy with a \$2,500 cashier's check payable to the Campaign Committee that HOGAN had drawn from his personal bank account. During the meeting, HOGAN arrived with another cashier's check for \$2,500, which he had obtained from an employee of MONTEIRO's construction company in exchange for \$2,500 in U.S. currency. Soucy asked HOGAN, "What f\_ucking drunk did you chase down?" HOGAN then handed the check to Soucy. Per NASSI's request, ROGERS also provided Soucy with a \$2,500 check in the name of another person, which was made payable to a political party.

75. On May 14, 2012, Soucy attended the nominating convention for Public Official Number 1. After entering the convention hall, Soucy greeted NASSI. NASSI then led Soucy to a backstage area, at which point Public Official Number 1 approached Soucy and engaged him in a conversation. Immediately following that conversation, NASSI led Soucy into a back room where Soucy said, "I have an envelope for you," and delivered a \$10,000 payment in the form of three \$2,500 conduit contributions to the Campaign Committee and one \$2,500 check to a political party. As he was exiting the convention hall, Soucy encountered BRADDOCK. Soucy and BRADDOCK stepped to a quiet location, and Soucy said that he had just "thanked the man," and that "twenty thousand was well worth it. . . And another ten grand." BRADDOCK responded, "You're the man."

76. On May 15, 2012, BRADDOCK and Soucy engaged in a series of conversations regarding the four conduit contributions that Soucy had delivered to NASSI the previous evening. BRADDOCK initially said, "I thought you told me it was ten. I think we have three for a total of seventy five hundred." Soucy then advised BRADDOCK that NASSI had

instructed him "to write one out to the [political party]," to which BRADDOCK responded, "Oh. Gotcha." BRADDOCK then asked Soucy to provide him with biographical information for certain individuals in whose names the checks had been written. While relaying the information to BRADDOCK, Soucy said, "Just thinking about this. I don't know if you know, the last time, one of these a\_shole drug addicts bounced a check even though we put the f\_cking money right in their hand," to which BRADDOCK responded, "Right." Soucy then asked BRADDOCK to give him the name of one of the conduit contributors so that he could "stay on top of it." BRADDOCK agreed to send Soucy a text message with the information. In a subsequent conversation on the same date, Soucy reiterated to BRADDOCK, "The last time one of these as\_holes bounced a check even though we put their money right in their hands. You know? You can't trust the drunks." BRADDOCK laughed and Soucy continued, "You know, grabbing these drunks and drug addicts and saying, 'here, write this check.' . . . ." BRADDOCK again laughed and said, "Oh, god." Soucy said, "Like I said, you know, it was a very good investment for us to kill that bill. And they want to stay friends for a long time." After Soucy advised BRADDOCK that he would attempt to get an address for one of the conduit contributors, BRADDOCK said, "Okay."

77. On May 15, 2012 at approximately 4:18 p.m., Soucy called BRADDOCK and advised him that one of conduit contributors used in connection with the \$10,000 contribution the previous evening was an owner of one of the RYO smoke shops. Soucy said, "I just realized something . . . that Ben Hogan guy . . . he is like one of the owners." BRADDOCK responded, "Okay." Soucy then asked BRADDOCK, "You wanna tear that one up and I'll, I'll get another one? Or get that one back that's uh, that's a bank check so get that back." BRADDOCK responded, "I gotta, I gotta hang up with you right now, she's on her way to the f\_cking bank to

deposit it right now. . . . Let me go, let me call, let me see if I can get her, I'll call you right back."

78. Immediately following the above call, BRADDOCK called Campaign Aide 1. BRADDOCK advised Campaign Aide 1 not to deposit the check that was made out in the RYO smoke shop owner's name. Campaign Aide 1 asked why she should not deposit the check, and BRADDOCK responded, "Just do it."

79. At approximately 4:25 p.m., BRADDOCK advised Soucy, "Well, we're all good." Soucy said, "Alright, so I'll get that one from you and do a switch," to which BRADDOCK responded, "Yeah, sounds good."

80. On May 16, 2012, Soucy called BRADDOCK to tell him that he was about to pick up the replacement check from "the store," and said, it would be "great if you could come down right there. That way, boom, boom, here's yours, here's yours, here's mine, you know?" BRADDOCK said, "Okay, let me see, let me see if I can do that. Uh, I'll give you a call right back." Shortly thereafter, Soucy spoke to NASSI and arranged to meet NASSI that evening at a restaurant in Southington, Connecticut. Soucy advised NASSI, "We gotta do an exchange there on that bullsh\_t check." Soucy suggested that they meet at 7:30 at the same Southington restaurant where they met on March 11. NASSI confirmed, "The same place we met last time, right?"

81. During the evening of May 16, 2012, Soucy met NASSI at a restaurant in Southington, Connecticut. At that meeting, NASSI provided Soucy with the check that BRADDOCK and Soucy had agreed should be returned because it was written in a RYO smoke shop owner's name. In exchange, Soucy provided NASSI with another \$2,500 check in the name of a different conduit contributor, who was not affiliated with the RYO smoke shops but,



rather, was another employee of MONTEIRO's construction company. NASSI said, "I definitely appreciate it, man." Soucy responded, "Hey, he did what he said he was gonna do. Gonna kill the bill, he killed the bill. You know?" Soucy and NASSI then discussed the fact that other legislators had attached meaningless amendments to the RYO Legislation after learning of Public Official Number 1's opposition. Soucy said, "So, [Public Official Number 1] put out the word, 'dead'?" NASSI responded, "Yeah. Yes he did."

82. On May 24, 2012, Legislative Aide 1 sent NASSI an electronic message informing him of the status of negotiations concerning the issues that would be considered by the CGA during the special session. Legislative Aide 1 advised NASSI, "everyone wants roll ur [sic] own. I was the lone no." NASSI responded, "Oh sh\_t." NASSI and Legislative Aide 1 then engaged in a series of electronic messages in which they discussed strategies for preventing the RYO tax and licensing provisions from being considered during the CGA's special session, which was scheduled for June 14, 2012.

#### Overt Acts

83. In furtherance of the conspiracy, and to accomplish its purposes and objects, BRADDOCK, HOGAN, MOFFA, MONTEIRO, NASSI, ROGERS and TIRADO, together with Soucy, committed and caused others to commit at least one of the following overt acts, among others, in the District of Connecticut.

84. From November 2011 through May 2012, BRADDOCK, HOGAN, MOFFA, MONTEIRO, NASSI, ROGERS and TIRADO, together with Soucy, caused \$27,500 in conduit contributions to the Campaign Committee, that is, eleven \$2,500 checks in the names of conduit contributors that were made payable to the Campaign Committee, as described in the following table:

Conduit Contributor	Overt Act
Conduit Contributor 1	\$2,500 Check dated: 11-15-11 Check accepted: 11-15-11
Conduit Contributor 2	\$2,500 Check dated: 11-[ ]-11 Check accepted: 11-16-11
Conduit Contributor 3	\$2,500 Check dated: 12-8-11 Check accepted: 12-8-11
Conduit Contributor 4	\$2,500 Check dated: 12-8-11 Check accepted: 12-8-11
Conduit Contributor 5	\$2,500 Check dated: 4-12-12 Check accepted: 4-11-12
Conduit Contributor 6	\$2,500 Check dated: 4-10-12 Check accepted: 4-11-12
Conduit Contributor 7	\$2,500 Check dated: 4-10-12 Check accepted: 4-11-12
Conduit Contributor 8	\$2,500 Check dated: 4-8-12 Check accepted: 4-11-12
Conduit Contributor 9	\$2,500 Check dated: 5-14-12 Check accepted: 5-14-12
Conduit Contributor 10	\$2,500 Check dated: 5-14-12 Check accepted: 5-14-12
Conduit Contributor 11	\$2,500 Check dated: Check accepted: 5-16-12

All in violation of Title 18, United States Code, 371.

COUNTS TWO and THREE  
(Wire Fraud Deprivation of Honest Services)

85. The allegations contained in paragraphs 1 through 84 of this Superseding Indictment are realleged and incorporated as though fully set forth herein.

The Scheme and Artifice to Defraud

86. From in or about November 2011 through in or about May 2012, in the District of Connecticut and elsewhere, ROGERS, Soucy and others known and unknown to the Grand Jury, aided and abetted by each other, knowingly devised and intended to devise a scheme and artifice to defraud and deprive the citizens of the State of Connecticut of their right to the honest services of Public Official Number 1 through bribery.

Execution of the Scheme

87. On or about the dates listed below, in the District of Connecticut and elsewhere, ROGERS, Soucy and others known and unknown to the Grand Jury, for the purpose of executing and attempting to execute the above-described scheme and artifice to defraud and deprive, transmitted and caused to be transmitted by means of wire communication in interstate commerce, the following writings, signals and sounds:

COUNT	DATE	DESCRIPTION
2	01/31/2012	Electronic transmission from the Campaign Committee in Connecticut to the FEC in Virginia of Form 3 reporting the Campaign Committee's receipts and disbursements for the period October 1, 2011 through December 31, 2011
3	05/02/2012	Electronic transmission from the Campaign Committee in Connecticut to the FEC in Virginia of Form 3 reporting the Campaign Committee's receipts and disbursements for the period April 1, 2012 through April 24, 2012

All in violation of Title 18, United States Code, Sections 1343, 1346 and 2.

COUNT FOUR  
(Causing False Statements)

88. The allegations contained in paragraphs 1 through 84 of this Superseding Indictment are realleged and incorporated as though fully set forth herein.

89. On or about January 31, 2012, in the District of Connecticut and elsewhere, in a matter within the jurisdiction of the executive branch of Government of the United States, MOFFA, ROGERS and TIRADO knowingly and willfully caused the submission of a materially false, fictitious and fraudulent statement and representation, that is, the submission by an authorized campaign committee of a candidate for the United States House of Representatives to the FEC of a report that was materially false and misleading in reporting the source and amount of contributions to the campaign by an individual.

All in violation of Title 18, United States Code, Sections 1001(a)(2) and 2.

COUNT FIVE  
(Contributions in the Name of Another)

90. The allegations contained in paragraphs 1 through 84 of this Superseding Indictment are realleged and incorporated as though fully set forth herein.

91. In or about April 2012 and May 2012, in the District of Connecticut and elsewhere, BRADDOCK, NASSI and ROGERS, and others known and unknown to the Grand Jury, aided and abetted by each other, knowingly and willfully caused and accepted contributions of money, aggregating more than \$10,000 during the 2012 calendar year, which were made by one person in the name of another to the campaign of a candidate for the United States House of Representatives.

All in violation of Title 2, United States Code, Sections 437g(d)(1)(D)(i) and 441f and Title 18, United States Code, Section 2.

COUNT SIX  
(Causing False Statements)

92. The allegations contained in paragraphs 1 through 84 of this Superseding Indictment are realleged and incorporated as though fully set forth herein.

93. On or about May 2, 2012, in the District of Connecticut and elsewhere, in a matter within the jurisdiction of the executive branch of Government of the United States, BRADDOCK, NASSI and ROGERS knowingly and willfully caused the submission of a materially false, fictitious and fraudulent statement and representation, that is, the submission by an authorized campaign committee of a candidate for the United States House of Representatives to the FEC of a report that was materially false and misleading in reporting the source and amount of contributions to the campaign by an individual.

All in violation of Title 18, United States Code, Sections 1001(a)(2) and 2.

COUNT SEVEN  
(False Statements)

94. The allegations contained in paragraphs 1 through 84 of this Superseding Indictment are realleged and incorporated as though fully set forth herein.

95. On or about June 1, 2012, Special Agents of the FBI were in the process of conducting voluntary interviews relating to their investigation of potential violations of the Election Act, as described in Count One. On that day, MOFFA submitted to a voluntary interview in which he intentionally misled the Special Agents regarding his involvement in the making of conduit contributions to the Campaign Committee.

96. On or about June 1, 2012, in the District of Connecticut, in a matter within the jurisdiction of the executive branch of the Government of the United States, MOFFA did knowingly and willfully make a materially false, fictitious, and fraudulent statement and

representation, that is, in an interview with Special Agents of the FBI who were conducting a federal criminal investigation regarding, among other things, the making of conduit contributions to the Campaign Committee, MOFFA stated that, on or about December 8, 2011, he did not receive \$2,500 in U.S. currency in exchange for making a \$2,500 contribution in his wife's name to the Campaign Committee, when in fact, as he well knew, on or about December 8, 2011, he did receive \$2,500 in U.S. currency in exchange for making a \$2,500 contribution in his wife's name to the Campaign Committee.

All in violation of Title 18, United States Code, Section 1001.

COUNT EIGHT  
(False Statements)

97. The allegations contained in paragraphs 1 through 84 of this Superseding Indictment are realleged and incorporated as though fully set forth herein.

98. On or about June 4, 2012, Special Agents of the FBI were in the process of conducting voluntary interviews relating to their investigation of potential violations of the Election Act, as described in Count One. On that day, TIRADO submitted to a voluntary interview in which he intentionally misled the Special Agents regarding his involvement in the making of conduit contributions to the Campaign Committee.

99. On or about June 4, 2012, in the District of Connecticut, in a matter within the jurisdiction of the executive branch of the Government of the United States, TIRADO did knowingly and willfully make a materially false, fictitious, and fraudulent statement and representation, that is, in an interview with Special Agents of the FBI who were conducting a federal criminal investigation regarding, among other things, the making of conduit contributions to the Campaign Committee, TIRADO stated that he did not knowingly participate in the making of conduit contributions to the Campaign Committee in November and December 2011, when in

fact, as he well knew, he did knowingly participate in the making of conduit contributions to the Campaign Committee in November and December 2011.

All in violation of Title 18, United States Code, Section 1001.

A TRUE BILL

UNITED STATES OF AMERICA

  
\_\_\_\_\_  
DAVID B. FEIN  
UNITED STATES ATTORNEY

/ ~~FOREPERSON~~

  
\_\_\_\_\_  
CHRISTOPHER M. MATTEI  
ASSISTANT UNITED STATES ATTORNEY

  
\_\_\_\_\_  
ERIC J. GLOVER  
ASSISTANT UNITED STATES ATTORNEY